

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>TEKEELA A. MCCASKILL,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL ACTION NO. 22-0250-CG-N</b>
	)	
<b>13<sup>TH</sup> JUDICIAL CIRCUIT COURT</b>	)	
<b>OF ALABAMA, <u>et al.</u>,</b>	)	
	)	
<b>Defendants.</b>		

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge entered on June 22, 2023 (Doc. 41) made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this court.

Accordingly, Plaintiff's request to dismiss Defendants Schwarzauser, Lewis and Smith embedded in her response brief (Doc. 34) is construed to be a notice of voluntary dismiss of said defendants and Plaintiff's claims against JoJo Schwarzauser, Chuck Lewis and Tachonda Smith are **DIMISSED without prejudice**. The Office of the Circuit Clerk for the 13th Judicial Circuit is added as a defendant in this action under Fed.R.Civ.P. 21. The 13th Circuit's Rule 12(b)(6) motion to dismiss McCaskill's first amended complaint (Doc 27) is **GRANTED, without prejudice** to Plaintiff's ability to allege in the second amended complaint sufficient facts showing why the 13th Circuit should be considered a "single employer" or "joint employer" with the Circuit Clerk's Office for purposes of Title

VII. Plaintiff is ORDERED to file a second amended complaint that corrects the “shotgun pleading” deficiencies and otherwise complies with the directives set out in Subsection I(e) of the Report and Recommendation no later than **August 1, 2023**.

**DONE and ORDERED** this 17th day of July, 2023.

/s/ Callie V. S. Granade

SENIOR UNITED STATES DISTRICT JUDGE